

RESULTS OF INVESTIGATION: Examination showed that the articles were short weight.

LIBELED: 4-6-62, W. Dist. Tenn.

CHARGE: 403(e)(2)—when shipped, the articles failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-18-62. Default—delivered to charitable institutions.

27863. Cookies. (F.D.C. No. 47146. S. Nos. 15-359/60 T.)

QUANTITY: 26 cases of 10 boxes each, each box containing 30 pkgs., of chocolate cookies; and 5 cases of 10 boxes each, each box containing 30 pkgs., of dark and light cookies, at Louisville, Ky.

SHIPPED: 1-18-62 and 1-22-62, from Atlanta, Ga., by Gordon Foods, Div. of Sunshine Biscuits, Inc.

LABEL IN PART: "Gordons 'Quick Snak' Creme Filled Sandwiches Chocolate Flavored [or "Duplex"] * * * Net Wt. 1 oz. Mfd. by Gordon Foods Div. Sunshine Biscuits, Inc., Atlanta, Ga."

RESULTS OF INVESTIGATION: Examination showed that the ingredients and quantity of contents statements were printed in a dark brown colored ink on clear cellophane and were inconspicuous against the dark cookies in the background.

LIBELED: 1-24-62, W. Dist. Ky.

CHARGE: 403(f)—when shipped, the information required by 403 (e)(2), (i)(2), and (k) to appear on the label, namely, an accurate statement of the quantity of contents, the common or usual name of each ingredient, and the declaration of artificial flavor and color, were not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 4-4-62. Default—delivered to a charitable institution.

FLOUR

27864. Flour. (F.D.C. No. 45977. S. Nos. 18-554/7 R.)

INFORMATION FILED: 7-19-61, Dist. N. Mex., against Associated Grocers Cooperative of New Mexico, Inc., Albuquerque, N. Mex.

ALLEGED VIOLATIONS: Between 8-31-60 and 12-7-60, while quantities of flour were being held for sale after shipment in interstate commerce, the defendant caused the article to be held in a building accessible to birds and to be exposed to contamination by birds, which acts resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained bird excreta; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9-7-61. \$250 fine.

27865. Flour. (F.D.C. No. 45667. S. Nos. 66-063/5 R.)

INFORMATION FILED: 8-17-61, W. Dist. Tenn., against Leon S. Rose, Jr., t/a Rose Warehouse Co., Memphis, Tenn.

ALLEGED VIOLATIONS: Between 11-9-60 and 1-31-61, while a quantity of flour was being held for sale after shipment in interstate commerce, the defendant